REMARKS

Rejections Under 35 U.S.C. §102

Claims 1-20 of the present application (Application) to Bauer et al. were rejected under 35 U.S.C. §102(e), prior to the present amendments, as being anticipated by U.S. Patent No. 6,070,185 to Anupam et al. (Anupam I). A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See, e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). For anticipation, there must be no difference between the claimed invention and the reference disclosure as viewed by a person of ordinary skill in the field of the invention. *See, e.g., Scripps Clinic & Res. Found. v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991).

The undersigned patent attorney sincerely appreciates the time spent by Examiner Burgess during a telephonic interview (Interview) conducted on April 29, 2005. The Interview proved to be very helpful in resolving issues with respect to the present claims.

During the Interview, the undersigned and Examiner Burgess discussed the pending claims in light of the prior art. Independent claims 1 and 14 were discussed with respect to the reference to Anupam I. Specifically, the ***server-defined cells*** limitation of the independent claims was discussed. At the conclusion of the Interview, Examiner Burgess indicated that the independent claims would have a greater likelihood of allowance if the ***server-defined cells*** limitation was defined to more clearly distinguish over the prior art. In an effort to move the Application towards allowance, the Applicants have herein amended the independent claims to more clearly distinguish over Anupam I by incorporating a ***cell manager*** to perform the ***grouping locations*** function with respect to ***cells***. The Applicants believe that the amendments incorporate no new matter where the ***cell manager*** is disclosed in the Application, for example, on page 11, lines 4-12.

The Applicants also desire to bring to the Examiner's attention a disclosure which may be material to patentability. Submitted with this response is an Information Disclosure Statement (IDS), citing U.S. Patent No. 5,862,330, also to Anupam et al. (Anupam II). The

Applicants assert that neither of the references to Anupam, alone or in combination, disclose every limitation of the independent claims of the Application. The Applicants thus respectfully request that the independent claims and their dependent claims be allowed for at least the reason that the references to Anupam do not teach every limitation of the independent claims of the Application.

Independent Claims 1 and 14

To support a rejection under §102(e), prior to the present amendments, the Examiner stated with regard to independent claims 1 and 14 that Anupam I discloses:

> A main server bi-directionally connected to the computer network, the main ***server grouping locations of the network sites into server-defined cells*** (Figure 1, column 2, lines 25-28, 48-52, column 3, lines 26-30). *See* Office Action, page 2. (Emphasis added).

The Examiner cited Anupam I at column 2, lines 25-28 and 48-52, column 3, lines 26-30, and Fig. 1 as disclosing ***server-defined cells***. The cited passages only disclose:

> . . . embodying the principles of the invention wherein server system 100 provides information and services over a communication network. In the particular illustrative embodiment, server system 100 resides in a customer ser- . . . Anupam I, 2:25-28. (Emphasis added).

> browser 150, such as the NETSCAPE NAVIGATOR browser. In accessing system 100, browser 151 first establishes a connection to **HTTP server** 109 having a common gateway interface (CGI) (not shown). The CGI includes programs which define certain functions of server 109 to be . . . Anupam I, 2:48-52. (Emphasis added).

> In order to realize such customer service, each CSA needs to log onto server system 100 beforehand. To that end, the CSA utilizes a respective one of conventional computers 120-1 through 120-N, each running a standard browser, to log onto the system when he/she checks in at the customer . . . Anupam I, 3:26-30.

Anupam I states with respect to Fig. 1:

> ***Server 109 then generates an HTML document*** representing the home page, and a "customer cookie" incorporating the customer ID number. It ***transmits the HTML document*** and

> customer cookie to browser 151 through the established connection. Anupam I, 2:57-61. (Emphasis added).

The Applicants respectfully assert that the above cited language from Anupam I nowhere discloses a ***server grouping*** network locations into ***server-defined cells*** as in independent claims 1 and 14 of the Application. Rather, the ***server*** referenced in Anupam I is nothing more than an HTTP web page server as commonly known in the art, which serves web pages, but does ***not group*** one or more network locations into ***cells*** as in the claims 1 and 14 of the Application.

The Application defines a ***cell*** as a ***group*** of locations of network sites:

> A ***cell*** may be a Web site or a ***group*** of Web sites. For example, a company A might have five Internet Web sites, each with hundreds of Web pages. That company, all of its Web sites, and each of the Web pages could all be defined to form one cell. Another example of a cell might be a university having numerous colleges, laboratories, professors, instructors, and associated organizations. That university's Web resources could all be defined as one cell. Finally, top-level domains can be recognized by their URLs. The server software can identify and track those top-level domains and categorize each top-level domain as one cell. Significantly, the cells can be predefined or configured dynamically. *See* Application, page 10, lines 3-15. (Emphasis added).

To further clarify the ***server-defined cell*** limitation, as suggested by the Examiner, the ***cell manager*** disclosed in the Application has been incorporated into the independent claims of the Application to further clarify the ***grouping*** functionality.

Claim 1 of the Application, as amended, states in relevant part:

> a main server bi-directionally connected to the computer network, the main server containing a ***cell manager for grouping locations*** of the network sites into cells; and . . . (Emphasis added).

The Applicants respectfully assert that the language and figure cited by the Examiner does not disclose a ***cell manager*** grouping locations of network sites into ***cells*** as claimed in the Application. The Applicants also assert that Anupam II nowhere discloses ***cells*** or a ***cell manager*** grouping locations of network sites into ***cells*** as claimed in the Application.

To support a rejection of claims 1 and 14 of the Application, prior to amendment, the Examiner asserted that Anupam I discloses:

> A plurality of client programs bi-directionally connected to the main server via the network and each connected to at least one of the network sites (column 2, lines 44-51);

The language relied upon by the Examiner states:

> As shown in FIG. 1, a user may utilize computer 150 to access system 100 over WWW 140 at a predetermined uniform resource locator (URL). Computer 150 may be a conventional personal computer (PC) running standard web browser 150, such as the NETSCAPE NAVIGATOR browser. In accessing system 100, browser 151 first establishes a connection to HTTP server 109 having a common gateway interface (CGI) (not shown). The CGI includes . . . Anupam I, 2:44-51.

The Applicants respectfully assert that Anupam I does not disclose a ***plurality*** of client programs connecting to a server as recited in claims 1 and 14 of the Application. Anupam I discloses a user program and a CSA program, where the CSA program is connected ***directly*** to the server via the ***server system LAN***. *See* Anupam I, Fig. 1. In contrast, as claimed in the Application, a ***plurality*** of client programs collaboratively browse by being connected to the server via the ***internet***. Thus, the Applicants respectfully assert that claims 1 and 14 of the Application are not anticipated by Anupam I for at least this reason.

To further support a rejection of claims 1 and 14 of the Application, prior to amendment, the Examiner also cited Anupam I as disclosing:

> Wherein said main server enables a first one of the client programs connected to a network site in one of the ***server-defined cells*** to identify a second one of the client programs and to form a ***session*** with that second client program that ***collaboratively browse*** the network sites (column 3, lines 115-120, column 4, lines 1-6, column 6, lines 57-62); (Emphasis added).

Applicants respectfully assert that the language cited by the Examiner does not disclose a client program in a ***server defined cell*** which is ***collaboratively browsing*** a network site as in claims 1 and 14 of the Application.

The language relied upon by the Examiner states:

> . . . 303, 305 and 307. In a conventional manner, the user can select any one of the options by pointing and clicking at the option using a mouse device or similar indicator device (not shown). Specifically, selection of option 303 enables the user to learn about the different products that the company markets. In

> addition, it allows the user to place an order for . . . Anupam I, 3:15-20.
>
> . . . surrogate 173. A surrogate is an assistant to a browser. In particular, surrogate 173, which is further described herein below, serves as an assistant to browser 171 to carry out ***collaborative browsing*** of HTML documents, e.g., in providing customer service. Manager processor 107 administers such ***a collaborative browsing session***. Therefore, as soon as surrogate 173 comes into being, it establishes a connection . . . Anupam I, 4:1-6. (Emphasis added).
>
> . . . through controller 111. Surrogate 173 then directs browser 171 to issue a similar request. As such, as the session progresses, the CSA and the user manage to synchronously go from one URL to another to ***collaboratively browse*** relevant HTML documents and, based on the findings, resolve the problem at hand through the textual or voice . . . Anupam I, 6:57-62. (Emphasis added).

The Applicants assert that the above quoted language from Anupam I does not disclose ***cells, server-defined cells,*** or client programs that ***collaboratively browse network cites*** within in a ***cell***, as recited in claims 1 and 14 of the Application. In view of the amendments, it is also asserted that the cited references from Anupam I do not disclose a ***cell manager*** for grouping network locations into cells as recited in claims 1 and 14 of the Application. Moreover, the Applicants assert that Anupam II does not disclose client programs ***collaboratively browsing*** network sites grouped into ***cells*** for at least the same reasons. Therefore, the Applicants respectfully assert that claims 1 and 14 are allowable over Anupam I, and that claims 1 and 14 would be allowable over Anupam II, for at least these reasons.

Applicants further assert that Anupam I does not disclose client programs that ***collaboratively browse*** network sites as recited in claims 1 and 14 of the Application. While the language cited by the Examiner includes the phrase ***collaboratively browse***, the cited passages from Anupam I do not disclose collaborative browsing as defined in the Application. Collaborative browsing as in claims 1 and 14 of the Application involves two or more client programs which each display the ***same page*** found at a given URL.

The Application states in relevant part:

> In turn, the server software causes the main server 115 to send the guide's network location (URL) to each session client program computer 105. The ***client programs*** receive the ***new***

> ***URL*** and cause their client program computer 105 ***to establish a connection at the new network location (URL)***. Application, page 12, lines 9-12. (Emphasis added).

In contrast, the browsing system in Anupam I is not ***collaborative*** as in the Application but ***asymmetric***, where users of Anupam I see a ***first*** and ***second version*** of a web page.

Anupam I states in relevant part:

> When a request for particular data is received by a web server, the indicator information is used to ***select a version*** of the particular data corresponding thereto, and the originator of the request is then presented with the ***selected version*** only. In a preferred embodiment, the indicator information identifies the originator of the request. In a customer service application, if the indicator information identifies that the originator is a service representative, he/she is then presented with a ***first version of the requested data***. If the indicator information identifies that the originator is a customer, he/she is then presented with a ***second version of the requested data.*** Anupam I, 1:51-67. (Emphasis added).

> This ***asymmetric collaborative browsing*** approach is advantageous in many applications including the above customer service application. In particular, in resolving a bill problem as in the above customer service session, it is desirable to have the CSA ***in possession of more data than the user.*** Anupam I, 7:2-6. (Emphasis added).

Thus, Anupam I does not disclose ***collaborative browsing*** as defined in claims 1 and 14 of the Application, given that the users of Anupam I see ***different versions*** of a web page. Applicants respectfully assert that claims 1 and 14 are not anticipated by Anupam I for at least this reason.

In light of the above discussion, the Applicants respectfully assert that independent claims 1 and 14 of the Application, as amended, are not anticipated by Anupam I, given that Anupam I fails to disclose ***every limitation*** of claims 1 and 14 as required by §102(e). The Applicants also assert that Anupam fl does not disclose every limitation of the independent claims for at least the same reasons. The Applicants therefore request reconsideration and allowance of claims 1 and 14 of the Application.

Dependent Claims 2-13 and 15-20

The Examiner rejects dependent claims 2-13 and 15-20, which depend from independent claims 1 and 14, respectively, as anticipated by Anupam I under §102(e). Applicants respectfully assert, in view of the amendments, that dependent claims 2-13 and 15-20 are allowable for at least the reason that they each depend from an allowable independent claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1998).

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CONCLUSION

In view of the above, each of the presently pending claims in the application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass the application to issue. If the Examiner believes discussion of any issue would expedite examination, the Examiner is encouraged to telephone the Applicants' undersigned representative. The fee for an extension of time is enclosed, and no further fee is believed due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

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